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Failed Filibusters:

The Kemper Rebellion, the Burr Conspiracy and Early American Expansion

Francis D. Cogliano

In January 1803 the Congressional committee which considered the appropriation for the Louisiana Purchase observed baldly, “it must be seen that the possession of New Orleans and the Floridas will not only be required for the convenience of the United States, but will be demanded by their most imperious necessities.”¹ The United States claimed that West Florida, which stretched south of the 31st parallel from the Mississippi River in the west to the Apalachicola River in the east (roughly the modern state of Louisiana east of the Mississippi, and the Gulf coasts of Mississippi and Alabama, and the western portion of the Florida panhandle) was included in the Louisiana Purchase, a claim denied by the Spanish. The American claim was spurious but the intent behind it was clear. The United States desired control of West Florida so that the residents of the Mississippi Territory could have access to the Gulf of Mexico. Since the American Revolution the region had been settled by Spaniards, French creoles and Anglo-American loyalists. Beginning in the 1790s thousands of emigrants from the United States migrated to the territory, attracted by a generous system of Spanish land grants. An 1803 American government report described the population around Baton Rouge as “composed partly of Acadians, a very few French, and great majority of Americans.” During the first decade of the nineteenth century West Florida became increasingly unstable. In addition to lawful migrants, the region attracted lawless adventurers, including deserters from the United States army and navy, many of whom fled from the nearby territories of Louisiana and Mississippi.²

¹ Annals of Congress, 7th Cong. 2nd Sess., 373.

² An Account of Louisiana Laid Before Congress ... Nov. 14, 1803 (Providence: Heaton and Williams, 1803), 23. For events in West Florida during the early nineteenth century see Isaac J. Cox, The West

Among the recent arrivals were three brothers: Reuben, Samuel and Nathan Kemper. The Kempers had arrived in West Florida around 1800. They were the sons of a Baptist minister in Fauquier County, Virginia. The Kempers, like so many Virginians during the early nineteenth century, sought to make their fortunes in the west. They migrated first to Ohio and then south to Mississippi and West Florida. An historian of the region, who drew on local tradition two generations later, wrote of them as “Men of strong frontier sense, with a pleasing appearance and fine address, the Kempers were well suited to the times, and were dreaded by the Spaniards.” Each of the brothers was more than six feet tall. Reuben, the leader of the trio, was six foot six inches tall and renowned for his gruff manner and “eloquent profanity.” When he died in 1826 his eulogist, Colonel Gilbert C. Marshall of the United States army described him, “as sincere in his attachment as he was implacable in his resentments when he had been injured or betrayed. In everything he did he always exercised the utmost candor.”³ A Spanish official who had to deal with the consequences of the brothers’ actions took a less romantic view, describing them as “white Indians and river pirates.” The brothers acquired land on both sides of the border. They opened a store in Feliciana, West Florida, in partnership with John Smith, a Baptist preacher, United States senator and a leading merchant in Cincinnati who speculated in West Florida lands. The store failed and the relationship between Smith and the Kempers deteriorated into a rancorous legal

Florida Controversy, 1798-1813: A Study in American Diplomacy (Baltimore: Johns Hopkins University Press, 1918); and Andrew McMichael, Atlantic Loyalties: American in Spanish West Florida, 1785-1810 (Athens: University of Georgia Press, 2008). Also see Wilbur H. Siebert, “The Loyalists in West Florida and the Natchez District,” Mississippi Valley Historical Review [hereafter MVHR], 2 (1916), 465-483; Elisha P. Douglass, “The Adventurer Bowles,” William and Mary Quarterly [hereafter WMQ], 6 (1949), 3-23; Clifford L. Egan, “The United States, France, and West Florida, 1803-1807,” Florida Historical Quarterly, 47 (1969), 227-252; and Isaac J. Cox, “The American Intervention in West Florida,” American Historical Review [hereafter AHR], 17 (1912), 290-311; as well as Thomas D. Clark and John D. W. Guice, Frontiers in Conflict: The Old Southwest, 1795-1830 (Albuquerque, 1989).

³ As quoted in James E. Padgett, ed., “The West Florida Revolution of 1810, As told in the Letters of John Rhea, Fulwar Skipwith, Reuben Kemper, and Others,” Louisiana Historical Quarterly, 21 (1938), 76-202, p. 87.

dispute. When a local official attempted to expel Nathan Kemper from property owned in absentia by Smith in June 1804, the brothers took the law into their hands.⁴

Over the next month the Samuel and Nathan and a small band of supporters went on a cross-border crime spree, described by one historian as “nothing more than random thuggery in response to an unfortunate lawsuit.”⁵ They plundered and burned property, stole slaves, horses, and cattle, and threatened planters and officials in West Florida. When pursued by Spanish militia, the bandits sought sanctuary over the Mississippi line in Pinckneyville where Samuel Kemper kept a tavern. In June and July the Surveyor General of West Florida, Vicente Sebastián Pintado, led local militia, composed mainly of Anglo-American settlers, in pursuit of the bandits. In retaliation for his efforts, two men attempted to set fire to Pintado’s house on July 17. The same day the governor of the Baton Rouge District, Carlos de Grand-Pré, declared the Kempers and their supporters to be enemies of the state. Pintado and Grand-Pré enjoyed widespread support in their efforts to suppress the disorder. Most of the Anglo-American settlers in West Florida were content to support Spanish efforts to restore order during the summer of 1804. They demonstrated this by serving in the militia which pursued the outlaws. By using the militia to arrest some of the outlaws, while judiciously offering pardons to some of the others, Grand-Pré and Pintado seemingly suppressed the disorder by the end of July.

Named enemies of the state and excluded from Grand-Pré’s offers of amnesty, the Kempers felt they had nothing to lose and sought to overthrow the authority of the Spanish state in Florida. Nathan and Samuel Kemper led a band of thirty men across the Mississippi line into West Florida on August 7 hoping to start a revolution. The rebels came bearing a flag for the would-be Republic of West Florida and a

⁴ For the Kemper Rebellion see Cox, West Florida Controversy, 152-168. Quotations Albert James Pickett, History of Alabama and Incidentally of Georgia and Mississippi from the Earliest Periods, 2 vols. (Charleston: Walker and James, 1851), 2: 209; Cox, West Florida Controversy, 154.

⁵ McMichael, Atlantic Loyalties, 88.

‘proclamation of independence’ which declared “For a people to be free it is sufficient that they will it” and called for West Floridians to “throw off the galling yoke of tyranny and become freemen by declaring ourselves a free and independent people and by supporting with our lives and property that declaration.” The rebels seem to have misconstrued their own proclamation, and sought to win their independence by threatening the lives and property of the officials and settlers of West Florida. They kidnapped Pintado and several militia leaders and burned Pintado’s house and cotton gin. They then proceeded to Baton Rouge where they intended to detain governor Grand-Pré and to capture the Spanish fort in the town. One of Pintado’s slaves had reached Baton Rouge before the rebels and sounded the alarm. In the face of resistance from the militia the rebels were compelled to release their captives and fled back across the border into Mississippi on August 9.⁶

The Spanish took the threat posed by the Kempers seriously. On August 11 the former governor of Spanish Louisiana, the Marquis de Casa Calvo (who remained in New Orleans), complained that “the whole district is in a state of insurrection” and appealed to his American successor, William C. C. Claiborne, to apprehend Reuben Kemper, thought to be in New Orleans, and to call on the governor of Mississippi, Robert Williams, to assist in suppressing the rising. When the difficulties first began earlier in the summer Juan Vicente Folch, the governor of West Florida immediately undertook to build a military road from Mobile so that he could better protect Baton Rouge in the future. When he learned of the rebellion in August Folch led a force of

⁶ McMichael, Atlantic Loyalties, 91-92, Cox, West Florida Controversy, 152-162; Mississippi Herald and Natchez Gazette (Natchez), Aug. 10, 1804; Charleston Courier, Sept. 2, 1804; Marques de Casa Calvo to William C. C. Claiborne, Aug. 11, 1804, in Dunbar Rowland, ed., Official Letter Books of William C. C. Claiborne, 1801-1816, 6 vols. (Jackson: Mississippi Department of Archives and History, 1917), 2:308-309.

150 soldiers from Pensacola to suppress the rising. By the time they arrived in September, the would-be rebels had long-since departed.⁷

If the Spanish believed that the Kempers represented a serious threat to their control over West Florida, the same could not be said of United States officials in the region. American officials, by contrast with their Spanish counterparts, did little to stop the cross-border raiding. Claiborne dismissed Casa Calvo's request and assured the Spaniard that the insurgents had not received any support from American officials. He later dismissed the significance of the disturbances suggesting that the Spanish had overreacted. "The expedition of Governor Folch to Baton Rouge, was certainly unnecessary," he wrote. "The Kempers insurrection as it is called, was in fact nothing more than a riot, in which a few uninformed, ignorant men had taken part, and the whole affair was at an end previous to Folchs departure from Pensacola."⁸

In retrospect it seems that the Spanish overestimated the significance of the threat posed by the Kempers. However, while historians, mindful of the subsequent collapse of the Spanish empire in North America, often stress its weakness, what is striking in 1804 is the speed and competence with which Spanish officials reacted to the putative insurrection. Governor Grand-Pré wisely employed a mix of conciliation and coercion—offering pardons and calling out the militia when necessary—to counter the rebels. Governor Folch acted speedily to secure the immediate and the long-term security of the colony. They did so with the support of the Anglo-American settlers of West Florida who were not persuaded to rise up against supposed Spanish tyranny and failed to rally to the Kempers' standard, serving instead in the militias which pursued the rebels. An American settler in Baton Rouge dismissed the attempted rebellion as "a

⁷ Casa Calvo to Claiborne, Aug. 11, 1804 and Claiborne to Casa Calvo, Aug. 27, 1804 Claiborne Letter Books, 2:309, 311-312.

⁸ William C. C. Claiborne to JM, April 21, 1805, in Clarence E. Carter, ed., Territorial Papers of the United States: Volume IX, The Territory of Orleans, 1803-1812 (Washington: Government Printing Office, 1940), 438.

vile attempt of a banditti, that never amounted to 40 men, headed by a poor trifling wretch, and whose object was plunder.”⁹

The Kempers, untroubled by the law, remained in Mississippi, using Samuel’s tavern in Pinckneyville as a base of operations. In the spring of 1805 it was rumored that Reuben was soliciting British aid for an expedition to capture Baton Rouge. Exasperated by the general lawlessness of the border and the particular danger posed by the Kempers, Grand-Pré hired a party of Anglo-Americans from both sides of the border, including seven slaves, to apprehend the Kempers. At midnight on September 3, 1805 the party kicked in the door of Nathan Kemper’s home near Pickneyville and dragged Nathan and Reuben from their beds, beating them with clubs and tying them up for forcible extradition to West Florida. When Nathan asked why they were being mistreated one of his captors exclaimed, “God damn! You have ruined our country.” The vigilantes moved on to Samuel Kemper’s tavern in Pinckneyville where they seized, beat, and bound the third brother. The battered brothers were driven to the Mississippi River and loaded onto a boat for transport to Baton Rouge where Governor Grand-Pré and a Spanish cell awaited them. American forces stopped the party at Point Coupee, taking the Kempers and their captors into custody. After several days of negotiations between Grand-Pré and Governor Williams of Mississippi, the Kempers were released after giving a promise of good behavior, and the Spanish subjects were allowed to return to West Florida.¹⁰

As they departed the courthouse the brothers proved the value of their pledge of good behavior. They encountered William Barker, who was second-in-command of the

⁹ Connecticut Courant (Hartford), Dec. 5, 1804. The argument that the Spanish response was both vigorous and popular is made persuasively by Andrew McMichael in Atlantic Loyalties, chapter 4 and “The Kemper ‘Rebellion’: Flibustering and Resident Anglo-American Loyalty in Spanish West Florida,” Louisiana History, 43 (2002), 133-165.

¹⁰ For eleven depositions describing the apprehension of the Kempers see ASP: Foreign Affairs, 2:683-689; Pickett, History of Alabama, 2:209-210; New York American Citizen, Dec. 16, 1805; John Smith to TJ, Feb. 2, 1807 in Clarence E. Carter, ed., Territorial Papers of the United States: Volume 5: The Territory of Mississippi, 1798-1817 (Washington: Government Printing Office, 1937), 510.

Spanish militia which had apprehended them. The Kempers fell upon Barker and beat him severely. The brothers pursued others among their would-be kidnappers, inflicting revenge beatings. Reuben and Samuel captured Ira Kneeland, another of their captors, and whipped him before Reuben “cut off his ears with a dull knife.”¹¹

While the Kemper insurrection may have been, in William C. C. Claiborne’s words, nothing more than a riot, its significance is greater than the few days of violence and property damage that it caused to the law abiding settlers and officials of West Florida. On one hand it is typical of the disorder that characterized the porous borderlands of the new American republic. With their polyglot populations, and rather limited government, the frontiers of the new United States invited numerous adventurers such as the Kempers which fostered a degree of turmoil and uncertainty at odds with the neatly ordered squares on maps which characterized Jefferson’s territorial system. More significantly the Kemper Rebellion is a relatively minor example of a phenomenon—filibustering—which proved to be a key element in the system of American expansionism.

It is instructive that when they sought to rise above the status of common criminals and cattle thieves, the Kempers armed themselves with a declaration of independence and called on West Floridians to overthrow tyranny. Between the American Revolution and the Civil War, filibusters were a common feature of American expansion. The word filibuster, derived from the Spanish filbustero (meaning pirate or freebooter) was used as both a noun and verb during the early republic to describe irregular, unauthorized attacks on foreign territory by Americans who sought to foment revolution and spread republicanism, usually to be followed by accession by

¹¹ Padgett, ed., “The West Florida Revolution of 1810,” 83-84; George Ripley and Charles A. Dana, eds., The American Cyclopædia, 16 vols. (New York: Appleton, 1873-76), 9:786.

the United States. Although not officially sanctioned by the United States, American officials often assisted such raids.¹²

Most of the literature on filibustering tends to focus on later, antebellum, American attempts to expand into Latin America. The best study of Jeffersonian filibustering, Filibusters and Expansionists by Frank Lawrence Owsley, Jr. and Gene A. Smith is a notable exception. Owsley and Smith chronicle the attempts of numerous filibusters to extend American hegemony in the Gulf Coast, particularly in East and West Florida and Texas. They argue persuasively that Jefferson articulated a coherent expansionist vision but that filibusters, like the Kemper brothers helped to make that vision a reality. While it fell to Jefferson to conceptualize a republican empire for America, making that vision a reality fell to unsavory characters such as the Kemper brothers. The filibustering of the Jeffersonian era led to the American acquisition of East and West Florida, and laid the groundwork for the later acquisition of Texas.¹³ This essay complements and extends the analysis of Owsley and Smith by focusing on two notable failed filibusters—the Kemper Rebellion and the Burr Conspiracy of 1806. Both of these filibusters failed, but their failure reveals much about the nature of filibustering during the early republic. The Kemper Rebellion failed because it lacked significant public support. The Burr Conspiracy was more complicated: in its scale, scope, and objectives. It failed, in part, because it lacked a clear objective and because

¹² Robert E. May, Manifest Destiny's Underworld: Filibustering in Antebellum America (Chapel Hill: University of North Carolina Press, 2002). May defined filibusters as “members of private military expeditions who invaded the domain of countries at peace with the United States.” (xv). Also see Charles H. Brown, Agents of Manifest Destiny: The Life and Times of the Filibusters (Chapel Hill: University of North Carolina Press, 1980); Albert L. Hurtado, “Empires, Frontiers, Filibusters, and Pioneers: The Transnational World of John Sutter,” Pacific Historical Review, 77 (2008), 19-47; Rufus Kay Wyllys, “The Filibusters of Amelia Island,” Georgia Historical Quarterly, 12 (1928), 297-325; Earl W. Fornell, “Texans and Filibusters in the 1850s,” Southwestern Historical Quarterly, 59 (1956), 411-28; Antonio Rafael de la Cova, “Filibusters and Freemasons: The Sworn Obligation,” Journal of the Early Republic, 17 (1997), 95-120; J. Fred Rippy, “Anglo-American Filibusters and the Gadsden Treaty,” Hispanic American Historical Review, 5 (1925), 155-80; Charles H. Bowman, Jr., “Vicente Pazas, Agent for the Amelia Island Filibusters, 1818,” Florida Historical Quarterly, 53 (1975), 428-42.

¹³ Frank Lawrence Owsley, Jr., and Gene A. Smith, Filibusters and Expansionists: Jeffersonian Manifest Destiny, 1800-1821 (Tuscaloosa: University of Alabama Press, 1997). Owsley and Smith concentrate on the period immediately after and before the War of 1812. They discuss the Kempers and the Burr Conspiracy in passing (pp, 61-3).

its leaders were so prominent that the enterprise lacked the secrecy essential for a successful covert operation.¹⁴

During the summer and autumn of 1806 the Ohio and Mississippi valleys were in ferment owing to the expedition attempted by the former vice president, Aaron Burr. Ethan Allen Brown, a leading lawyer and rising politician in Cincinnati reported in late December, “the proofs rise upon us, that some plan or expedition, of the military kind is on foot; under the direction of the Ex-vice President. A gentleman of respectability lately arrived, from St. Louis, and St. Genevieve, informs that in Louisiana, there is a strong popular voice for Colo. Burr, as well as in that part of Kentucky which lay on his road to this place.”¹⁵ When Brown wrote his letter Burr’s putative expedition was on the brink of failure. The conspiracy is anomalous in history of filibustering in that the expedition—the object of which remains shrouded in controversy and mystery—failed before it could be properly launched.

The two central figures in the Burr conspiracy were former vice president Aaron Burr and James Wilkinson who, in 1806, was the commanding general of the United States Army as well as the governor of Upper Louisiana. The two men were among the most infamous citizens in the early American republic. Burr and Wilkinson had known each other for many years. As young men they had served together during the War of Independence. In 1804 they joined forces in an ambitious, ill-defined, plot to seize power in the west.

¹⁴ While there is a significant literature on the Burr Conspiracy, only rarely does it consider Burr’s enterprise as a filibuster. Thomas Perkins Abernethy, The Burr Conspiracy (New York: Oxford University Press, 1954); Walter F. McCaleb, The Aaron Burr Conspiracy (New York: Dodd Mead and Company, 1903); Dumas Malone, Jefferson the President: Second Term, 1805-1809 (Boston: Little Brown, 1974), 215-394; Nancy Isenberg, Fallen Founder: The Life of Aaron Burr (New York: Viking, 2007), chs 8-9; David O. Stewart, American Emperor: Aaron Burr’s Challenge to Jefferson’s America (New York: Simon and Schuster, 2011).

¹⁵ Ethan Allen Brown to Philip Van Cortlandt, Dec. 28, 1806, Ethan Allen Brown Letters to Philip Van Cortlandt, Western Americana Collection, Beinecke Rare Book and Manuscript Library, Yale University.

Aaron Burr was born in Newark, New Jersey in February 1756. Orphaned at a young age and raised by relatives, Burr was a precocious student who entered the College of New Jersey as an adolescent, graduating at the age of sixteen. Burr originally studied theology, intending to become a minister. The outbreak of the War of Independence interrupted Burr's legal career. He immediately enlisted in the rebel forces and served with distinction during the invasion of Quebec in 1775 and during the campaign in New York and New Jersey in 1776. He was present during the winter of 1777-78 at Valley Forge and fought at the Battle of Monmouth the following summer. He spent the next year serving the Continental forces which waged a guerilla war against British skirmishers around New York City and in Westchester County. Although he had risen to the rank of Lieutenant Colonel in the Continental Army, Burr felt his road to advancement had been blocked. He was frustrated that men with less impressive records of military service, but superior connections, were promoted ahead of him. Suffering ill-health, Burr resigned from the army in March of 1779.¹⁶

Upon his return to private life Burr resumed the study of law and was admitted to the New York bar at Albany in 1782. The next year he married Theodosia Prevost, a wealthy widow. During the 1780s Burr established a successful law practice in New York City. He became active in public life emerging as a leader in the bitter, factional politics of New York. He was associated with the cadre surrounding Governor George Clinton. In 1791 he was elected to the United State Senate. During his time as a senator Burr gravitated toward those in opposition to the Federalist policies of George Washington and his treasury secretary, Alexander Hamilton (whom Burr knew well from their common experience in New York legal circles). By the turn of the nineteenth century Burr had emerged as the leader of New York's Republicans, the

¹⁶ This, and the following paragraphs, are based Isenberg, Fallen Founder; Nathan Schachner, Aaron Burr: A Biography (New York: Frederick A. Stokes, 1937); and Milton Lomask, Aaron Burr, 2 vols. (New York: Farrar, Strauss & Giroux, 1979). Also see Mary-Jo Kline, et al. eds., Political Correspondence and Public Papers of Aaron Burr, 2 vols. (Princeton: Princeton University Press, 1983).

protean political party led nationally by Jefferson and Madison. Burr's support in New York was crucial to Jefferson's hopes in the 1800 election.

Burr was inaugurated as Thomas Jefferson's vice president in March 1801 after the controversial and bitterly contested election of 1800. Burr was a marginal figure in Jefferson's first administration. The dislike and distrust engendered by the election was difficult to overcome and prevented the men from establishing a productive working relationship. Jefferson made it clear that he would not run with Burr when he sought re-election in 1804. In an effort to revive his political fortunes Burr turned his attention to New York. In the spring of 1804 he ran for governor of the state. He was defeated in April after enduring a smear campaign from both within his party and from his political rivals. Among those who campaigned against Burr was Hamilton who wrote anonymous newspapers essays which were critical of the vice president. Hamilton also publicly excoriated Burr before a group of prominent men at a political dinner. Hamilton's insults were published in an Albany newspaper in April. Burr did not read the account of the dinner until after he had lost the election. Hamilton had repeatedly frustrated Burr's political ambitions both nationally and in New York. On June 18, 1804 Burr wrote to Hamilton to call him to account for expressing a "despicable opinion" of him at the dinner in April. The ensuing dispute, which followed the complex ritual demanded by the code duello that governed such matters, ended in a duel at Weehawken, New Jersey, on July 11, 1804 in which Burr, then the sitting Republican vice president of the United States killed Alexander Hamilton, the leading Federalist.¹⁷

After killing Hamilton, which was considered a private affair of honor by political gentlemen of the day, Burr went into hiding briefly to avoid arrest for murder

¹⁷ Kline, ed., Burr Papers, 2:877; Aaron Burr to Alexander Hamilton, June 18, 1804, in Harold C. Syrett, et al. eds., The Papers of Alexander Hamilton, 27 vols. (Columbia University Press, 1961-1987), 26:242-246; Isenberg, Fallen Founder, ch. 7; Ron Chernow, Alexander Hamilton (New York: Penguin, 2004), chs. 41-42.

in New Jersey.¹⁸ Ultimately he returned to Washington to finish his term as vice president (which ended on March 4, 1805) and contemplated his apparently bleak future. At that point he was discredited as Hamilton's killer and viewed by many as a failed political opportunist. As he prepared to leave the government, Burr turned his mind to an ambitious scheme to revive his fortunes and his reputation in the West.

In May 1804, shortly after Burr's defeat in the New York gubernatorial contest, James Wilkinson, commanding general of the United States army, appeared in New York City. The general contacted his old comrade and the two held a secret meeting on the night of May 23, 1804. Although it is impossible to know precisely what they discussed that evening, it seems likely that the general and the vice president initiated the plot which would, ultimately, do more damage to Burr's reputation than the subsequent killing of Alexander Hamilton. Unfortunately for Burr, he placed his trust in James Wilkinson, one of the least trustworthy men in the United States. Wilkinson, who was motivated above all by his own advancement and wealth, ultimately betrayed Burr and in so doing may have helped to preserve the United States as a federal union.¹⁹

James Wilkinson was a year younger than Aaron Burr. He was born in 1757 near the village on Benedict in Calvert Country, Maryland. His father was a successful planter and merchant. At the age of seventeen Wilkinson went to study medicine at the College of Philadelphia. He returned to Maryland to establish a medical practice in 1775 but, as with Burr, Wilkinson's career plans were disrupted by the outbreak of the War of Independence. Wilkinson enlisted in the rebel forces and served under Washington at the siege of Boston prior to serving with Burr in Benedict Arnold's invasion of Quebec in 1775. By early 1776 he served as aide to General Horatio Gates

¹⁸ For a perceptive analysis of the Burr-Hamilton duel see Joanne B. Freeman, Affairs of Honor: National Politics in the Early Republic (New Haven: Yale University Press, 2001), ch. 4.

¹⁹ James Wilkinson to Aaron Burr, May 23, 1804, American Antiquarian Society, Proceedings, 29 (1919), 122-3.

and participated in the campaigns in New York and New Jersey that year. Unlike Burr, Wilkinson achieved rapid promotion. As Gates's aide, Wilkinson was charged with delivering the general's dispatches concerning the rebel victory at Saratoga in October 1777. Wilkinson gave himself a prominent role in presenting Congress with an account of the victory and was promoted to brevet brigadier general in November. The promotion of the twenty-year-old Wilkinson caused such an uproar among other officers in the Continental Army, eight colonels filed a protest with Congress, that he resigned his commission on March 3, 1778. Wilkinson remained in the army and was eventually promoted to Clothier General of the Army.²⁰

In addition to the storm over his brevet promotion after Saratoga, Wilkinson was implicated in the 'Conway Cabal,' a conspiracy among some Continental officers in late 1778 and early 1779 to replace George Washington as commander of the army with Horatio Gates. Wilkinson's tenure as Clothier General came to an end in 1781 when he was forced to resign by widespread rumors of personal corruption. During the War of Independence Wilkinson proved himself to be a soldier of some ability who demonstrated courage in combat. Behind the lines he showed himself to be a venal schemer with an eye for opportunity who was little troubled by loyalty. A taste for conspiracy coupled with personal greed characterized his later career. While Aaron Burr was also attracted to complex plots, in Wilkinson he met a partner, and future adversary, who more than matched his ambition and was not constrained by ethical considerations.

²⁰ Andro Linklater, An Artist in Treason: The Extraordinary Double Life of General James Wilkinson (New York: Walker, 2009). Also see David E. Narrett, "Geopolitics and Intrigue: James Wilkinson, the Spanish Borderlands, and Mexican Independence," WMQ, 69 (2012), 101-46; James R. Jacobs, Tarnished Warrior: Major-General James Wilkinson (New York: MacMillan, 1938); Thomas R. Hay, Admirable Trumpeter: A Biography of General James Wilkinson (Garden City, New York: Doubleday, 1941). Wilkinson was a prolific writer who published an entertaining and self-serving memoir, Memoirs of My Own Times, 3 vols. (Philadelphia: A. Small, 1816). While invaluable in providing insights into Wilkinson's character and motivation his Memoirs must be read with care.

At the end of the war Wilkinson left the army and sought his fortune in the west. He moved to Kentucky in 1783 and sought to establish himself as a merchant and land speculator in Lexington. During the mid-1780s many Kentuckians were restive under the rule of Virginia. Some sought admission to the Union as a separate state and others, a small minority, agitated for outright independence with the possibility of joining the Spanish Empire. Perhaps unsurprisingly Wilkinson was drawn to the latter group. During the summer of 1787 Wilkinson traveled down the Ohio and Mississippi to New Orleans where he arrived on July 2 with a cargo of flour, butter, bacon, and tobacco. Wilkinson spent the better part of two months in the Crescent City. He conferred with the leading merchants and political figures there including the Spanish Governor Esteban Rodríguez Miró and the Intendant of Louisiana, Martín Navarro. Ever ambitious, Wilkinson told the Spaniards that Kentucky was ripe for a separation from the United States and that he could deliver it to Spain. He also suggested that he could promote and control the flow of American immigrants to the Old Southwest, thereby preventing a rush of Americans seeking to seize New Orleans and open the Mississippi by force. In return Wilkinson sought a Spanish pension, the right to trade at New Orleans, and a suitable position should Kentucky become a Spanish possession.²¹

In order to persuade Miró of his seriousness Wilkinson renounced his American citizenship and pledged his loyalty to Spain. On August 22 he declared:

Born and educated in America, I embraced her cause in the recent revolution, and steadfastly I adhered to her interests until she triumphed over her enemy. This event, having rendered my services no longer needful,

²¹ William R. Shepherd ed., "Wilkinson and the Beginnings of the Spanish Conspiracy," *AHR*, 9 (1904), 490-506. Further documents in Spanish archives related to Wilkinson appeared in William R. Shepherd, ed., "Papers Bearing on James Wilkinson's Relations with Spain, 1787-1816," *AHR*, 9 (1904), 748-766. Also see Narrett, "Geopolitics and Intrigue"; Wilkinson, *Memoirs*, 2:109-113 and Arthur Preston Whitaker, "Wilkinson's First Descent to New Orleans, 1787," *Hispanic American Historical Review*, 8 (1928), 82-97.

released me from my engagements, dissolved all the obligations, even those of nature, and left me at liberty, after having fought for her welfare, to seek my own. Since the circumstances and policy of the United States have rendered it impossible for me to attain this desired object under her government, I am resolved, without wishing them [the United States] any harm, to seek it in Spain, where I feel persuaded that my conduct will be directed by such principles of loyalty to sovereign, and of justice to my fellow-subjects as will assure me tranquility of conscience and bear my name untarnished to posterity.²²

In return for his loyalty, as well as his pledge of future cooperation, Miró granted Wilkinson the right to send tobacco, slaves, cattle and produce from Kentucky to New Orleans to the value of \$37,000 to be deposited in the Spanish treasury until Carlos III rendered a verdict on whether to award Wilkinson a Spanish pension. This gave Wilkinson a brief monopoly on Kentucky exports through New Orleans. Eventually Wilkinson was awarded a pension. Thus began his association with the Spanish and, subsequently, Mexican authorities which continued until his death in 1825.

Wilkinson's business ventures were not as successful as he had hoped and in 1791 he re-enlisted in the United States Army with a rank of Lieutenant Colonel. In 1792 he was awarded the rank of Brigadier General and given command of Fort Washington on the Ohio River. He served as Anthony Wayne's second-in-command during the 1794 campaign against the Indians of the Northwest which resulted in American victory at the Battle of Fallen Timbers on August 20. During that campaign Wilkinson intrigued against his commander and sought to sow discontent among the Kentucky troops in Wayne's army. After Wayne's death Wilkinson was appointed

²² "Wilkinson and the Beginning of the Spanish Conspiracy," 497.

Commanding General of the United States Army in March 1797. He drew the salary of the commanding general of the United States Army as well as a Spanish pension. He earned both by playing the Spanish and Americans off against each other in the wake of the Treaty of San Lorenzo (1795) which supposedly settled the southwestern boundary between American and Spanish territory.

When Jefferson was inaugurated as president, Wilkinson returned to Washington, D.C. where he successfully curried favor with the new administration. He won Jefferson's confidence and was assigned to take military command in Louisiana in December 1803 when the United States acquired the territory. His primary responsibility was the defense of the southwestern frontier. Given his intrigues with the Spanish he was extremely well-placed to foment trouble along that dangerous boundary. When Wilkinson approached Aaron Burr in May 1804 he did so firm in the belief that he could provide Burr with the disorder, confusion and, if necessary, the war he needed to realize his (and their) ambitions to create an empire in the west.²³

In considering James Wilkinson's role in the Burr Conspiracy two questions arise: why did so many government officials in high authority trust him; and what were his motives? A Washingtonian who lived next to Wilkinson during his visits to the capital during the first years of the nineteenth century offers us clue to answering both questions. John T. Watson remembered "Genl. Wilkinson was an elegant Gentln in person & manner. He was of medium size, probably 5 feet 8 or 9 inch." Watson continued, "He was sumptuous & hospitable in his living; not very nicely balancing his means & ends—He appeared much abroad with his aide [his eldest son, James Biddle Wilkinson] both in full uniform, and generally on horseback. His array was splendid;

²³ For Jefferson's relationship with Wilkinson see Malone, Jefferson, the President: Second Term, 215-231.

he having gold stirrups & spurs, & gold leopard claws to his leopard saddle cloth.”²⁴ In 1806 Thomas Ritchie of the Richmond Enquirer presented a less charitable picture, writing of Wilkinson, “devotion to frivolous pomp; his obsequious court to every administration and to every party; his acknowledged hauteur towards his inferiors in office; are not the elements of which and unbending patriot is to be formed.”²⁵ Despite the persistent rumors about his personal misconduct Wilkinson was a man of considerable charm, and a skilled liar, who was able to convince both American and Spanish officials that he could be of use to them. Once politicians had thrown their lot in with Wilkinson they found it difficult to free themselves of him. Watson’s observation that Wilkinson had trouble living within his means, echoed by Ritchie’s “devotion to frivolous pomp,” reveals the key to understanding his motives. Wilkinson was able to serve both his American and Spanish masters simultaneously because he was driven by his own pecuniary interests above all. He made this clear to the Spanish in August 1787 when he drafted his first memorial for Miró declaring, “Self-interest regulates the passions of nations as well as of individuals, and he who imputes a different motive to human conduct either deceives himself or endeavors to deceive others.”²⁶ Aaron Burr would learn to his cost that Wilkinson’s first, and only, loyalty was to himself.

After their secret meeting on May 1804 Burr and Wilkinson briefly parted ways. The vice president went, via the killing field at Weehawken, to Philadelphia where he conferred with Anthony Merry, the British consul. Burr solicited British aid, in form of naval support and money, for a plot to detach the western states from the United States. At the same time Burr planned another approach to the British government via Charles Williamson, a Scotsman who had emigrated to New York.

²⁴ John T. Watson to E. B. O’Callaghan, Sept. 12, 1860, as quoted in Thomas Robson Hay, “Charles Williamson and the Burr Conspiracy,” Journal of Southern History, 2 (1936), 175-210, 184.

²⁵ Richmond Enquirer, Sept. 5, 1806.

²⁶ “Wilkinson and the Beginning the Spanish Conspiracy,” 496.

Williamson traveled to Britain on business in the summer of 1804 and briefed the government on Burr's scheme.²⁷ He traveled to South Carolina to visit his daughter and to drum up support for his plot before returning to Washington for the opening of Congress in November. Since the previous session of Congress had ended, the vice president had lost the New York gubernatorial election, killed the leading Federalist politician in the country, and plotted the dismemberment of the United States with the commanding general of the army and a foreign diplomat.

General Wilkinson, meanwhile, spent most of the summer in Maryland and Pennsylvania. He and Burr were reunited in the capital during the winter of 1804 and 1805 during which period, according to Burr's landlord, Joseph Wheaton, "General Wilkinson's visits were more frequent and at different hours than those of any other gentleman, and more private." Wheaton did not know what the men discussed but he observed them copying maps of the Floridas, the territories of Orleans and Louisiana. Burr apparently made little secret of his plans, the French minister in Washington, Louis Marie Turreau reported in March, "Louisiana thus is going to be the seat of Mr. Burr's new intrigues; he is going there under the aegis of General Wilkinson."²⁸ By early 1805 Burr had discussed his plot—with Wilkinson, Merry, Turreau and others. Depending on his audience he discussed detaching the western states from the Union or invading the Floridas or Mexico on a filibustering expedition. It was not until April that Burr, a newly private citizen, began to act.

On April 10, 1805 Burr set out for the west to reconnoiter and to recruit participants for his expedition. By the end of the month he was in Pittsburgh where had purchased a luxurious, 60-foot flatboat which would carry him down the Ohio River.

²⁷ For Burr's unsuccessful approach to the British see Hay, "Charles Williamson and the Burr Conspiracy."

²⁸ Deposition of Joseph Wheaton, Feb. 13, 1811 in [Ezekiel Bacon et al], Report of the Committee Appointed to Inquire into the Conduct of General Wilkinson, February 26, 1811 (Washington: A & G Way, 1811) [hereafter Bacon, Report], 203-4. Turreau to Talleyrand, March 9, 1805 as quoted in Abernethy, Burr Conspiracy, 24.

He delayed his departure from Pittsburgh until the 30th hoping to meet with Wilkinson, enjoining his partner to meet him downriver at Louisville, “Make Haste, for I have some things to say which cannot be written.”²⁹ Burr descended the Ohio River in his flatboat, meeting with local political figures and others who might assist him in his western plot. En route he stopped at Blennerhassett’s Island in the Ohio River near Marietta. The island was owned by Harman Blennerhassett, a wealthy, eccentric Irish lawyer and political radical who had emigrated to the United States in 1796 amidst a scandal arising from his having married his niece, Margaret Agnew. The Blennerhassetts built a luxurious mansion on their island. Harman Blennerhassett was not at home when Burr arrived. Burr enjoyed a pleasant visit with Mrs. Blennerhassett. Harman Blennerhassett would offer financial and material support to Burr and Blennerhassett’s Island would serve as a staging point for Burr’s expedition during the summer and autumn of 1806.³⁰

By May 29 Burr had arrived in Nashville where a parade was held in his honor and multiple toasts were offered at a banquet hosted by Andrew Jackson. Jackson had briefly served in the Senate with Burr but, more importantly, he was a major general in the Tennessee militia. Burr spent five days at Jackson’s plantation, The Hermitage, where he received local planters and political leaders. He discussed his western plans with Jackson. He gave the general the impression that he intended a filibustering expedition against the Spanish in Mexico and implied that he had the blessing of Henry Dearborn, the Secretary of War. Believing that the Burr’s adventure had received the tacit endorsement of the government, Jackson pledged his support.³¹

²⁹ Aaron Burr to James Wilkinson, April 30, 1805, Bacon, Report, 197.

³⁰ William H. Safford, The Life of Harmon Blennerhassett (Ely, Allen and Looker, 1853); William H. Safford, ed., The Blennerhassett Papers (Moore, Whitlach and Baldwin, 1864).

³¹ Deposition of Matthew Lyon, Feb. 25, 1811, Bacon, Report, 338-340; Abernethy, Burr Conspiracy, 27-28; Robert V. Remini, Andrew Jackson and the Course of American Empire, 1767-1821 (New York: Harper and Row, 1977).

On June 3 Burr departed Nashville and returned to the Ohio River via the Cumberland. He briefly reunited with General Wilkinson at Fort Massac. Jefferson had recently appointed Wilkinson as governor of Upper Louisiana, a role which would concentrate political and military power in his untrustworthy hands. The men conferred for several days before Wilkinson departed to take up his new post at St. Louis and Burr headed down the Mississippi to New Orleans on a barge staffed by ten soldiers and a sergeant provided by Wilkinson arriving in New Orleans on June 26.

Burr spent three weeks in the Crescent City. While there he discussed his planned expedition with the members of the city's Mexican Association. The Association had around 300 members and was organized soon after the United States took possession of Louisiana. Its stated purpose was to liberate Mexico from Spanish rule. Many local Anglophone planters and merchants supported the Association which was led by Daniel Clark and Edward Livingston. Clark was an Irishman who had emigrated to Louisiana in 1786 and became a successful merchant. During the last years of Spanish and French rule of the province he acted as the American consul in New Orleans. He was elected to Congress as the first representative from the Territory of Orleans in 1806. Livingston was the scion of a powerful New York political dynasty, and the younger brother of Robert Livingston who had helped to negotiate the Louisiana Purchase in 1803. In addition to its stated aim of conquering Mexico, the Mexican Association was also the nucleus for a group of mainly American opponents of the administration of Governor William C. C. Claiborne. Claiborne nervously reported, "During Colo: Burr's continuance in this City he was marked in his Attentions to Moralis [Juan Ventura Morales, the former Spanish Intendant], and was in habits of intimacy with Livingston, Clark, & [Evan] Jones." Burr reportedly discussed the possible invasion of Mexico with the members of the Association. He likely also gauged the level of support for the United States in the city as he

contemplated a possible attempt to “liberate” New Orleans in the same fashion that the Association spoke of liberating Mexico.³²

In mid-July Burr left New Orleans and began to make his way north. He visited again with Andrew Jackson at Nashville and went on to Lexington, Frankfort, Louisville and Vincennes in the Indiana Territory, where he again met with Wilkinson. Burr was a conspicuous man and his movements attracted considerable attention and comment. On August 29 the United States Gazette in Philadelphia questioned the purpose of Burr’s journey suggested that his aim was seize New Orleans and call for a convention of western states with a view to their secession and the creation of a western confederacy. Other newspapers picked up the story. By the end of the summer there was widespread public speculation about Burr’s aims, objectives and motives. Indeed, Major James Bruff, who was in command of the fort at St. Louis, reported that General Wilkinson, who preferred to operate in secret, was not pleased with the attention that Burr had aroused. “Parties were growing high,” Bruff testified, “and since Burr’s visit, suspicions abroad, hinted at in the papers, and the general jealous and irritable.” It is possible that, as early as the summer of 1805, Wilkinson had decided to betray Burr.³³

The Spanish, too, took notice of the threat posed by Burr and the likes of the Mexican Association. In October 1805 600 soldiers arrived in Pensacola from Havana in order to reinforce the defenses of Baton Rouge and Mobile. At the same time, to the west, 1300 Spanish troops crossed the Sabine River and occupied a post at Bayou Pierre fifty miles northwest of Natchitoches in the contested borderland between Louisiana and Texas. These movements took place against the backdrop of rising

³² William C. C. Claiborne to James Madison, Aug. 6, 1805, Carter, Territorial Papers, 9:489. Evan Jones was another leading member of the Mexican Association. For Burr’s visit to New Orleans in 1805 also see Memoirs of Aaron Burr, 2:382; Examination of John Graham, April 14, 1808, Bacon, Report, 330-334; Daniel Clark, Proofs of the Corruption of Gen. James Wilkinson (Philadelphia: Hall and Pierre, 1809), 94-95.

³³ Deposition of James Bruff, Feb. 8, 1811, Bacon, Report, 205-225, quotation 217.

Spanish-American tensions that threatened war in 1805-1806. If Burr and Wilkinson sought to ignite a war between the United States and Spain to give them a pretext to set in motion a plot to seize New Orleans or to attack Mexico, then these troop movements might have suited their interests. Indeed, Wilkinson had encouraged the Spanish to reinforce Texas, perhaps with this in mind.

By November of 1805 Burr was back in the east. During November and December he traveled between Philadelphia and Washington, seeking recruits, financial and diplomatic support for his adventure. He met with the Spanish minister, the Marques de Casa Yrujo and the British minister, Anthony Merry to discuss his plans. He told Merry that there was widespread support in the west for his plan to detach the western states from the Union and hinted that only a little bit of financial aid and naval support from Britain could make it happen. Merry could offer Burr no encouragement. Burr also met with President Jefferson, who was surely aware of his former vice president's travels and the speculation about his future plans. Jefferson told Burr that war with Spain—a key element to the proposed plot—was unlikely.³⁴ Without aid from the British and a war with Spain to provide a cover for his actions, and given the widespread public speculation about his actions, Burr should probably have abandoned the plot at the end of 1805.

It is impossible to know precisely what Burr said to the many men and women he met as he traveled throughout the country recruiting participants and raising money for his plot. It seems that he told some, like Andrew Jackson, that he intended to lead a filibuster against the Spanish in Mexico (or the Floridas), while he told others, like Anthony Merry, that he sought to capture New Orleans and establish himself as the head of a new western confederacy. His approach to William Eaton is instructive. Eaton, who was born in 1764, had served in the War of Independence like Wilkinson

³⁴ Aaron Burr to James Wilkinson, Jan. 6, 1806, Bacon, Report, 200-202; Malone, Jefferson, the President: Second Term, 232-234; Abernethy, Burr Conspiracy, 36-37.

and Burr. After the war he received a captain's commission in the peacetime army. He later served as the United States consul in Tunis. He became a national hero in 1805 when he led a combined force of United States marines and North African mercenaries across the desert and captured Derna during the First Barbary War. Despite his fame, Eaton did not feel that his feat was adequately recognized or rewarded by the government. In early 1806, when he was approached by Burr, Eaton was involved in a protracted dispute with Congress over the payment of his expenses. Eaton seemed a perfect candidate for Burr's plot when the former vice president contacted Eaton in Washington.³⁵

Burr initially told Eaton that he was organizing a secret expedition against Mexico on behalf of the United States government which endorsed the venture. Burr offered Eaton the command of a division in the invasion of Mexico. The men had numerous meetings and pored over maps planning a campaign against the Spanish. Given the possibility that war between the United States and Spain might break out in 1806, Eaton found Burr's approach plausible. However, in February 1806 Burr began, in Eaton's words, "by degrees to unveil himself." Burr, a skilled and persuasive politician, sought to stoke Eaton's resentment and offered his sympathy to the soldier over his ill-treatment by Congress. Eaton suspected that Burr was planning a filibuster. Eventually Burr, "laid open his project of revolutionizing the western country, separating it from the Union, establishing a monarchy there, of which he was to be the sovereign, New Orleans to be his capital; organizing a force on the Mississippi and extending conquest to Mexico." When Eaton expressed skepticism about the plot, Burr assured him that he had widespread support in the west and named General Wilkinson as his chief ally. In a moment of braggadocio Burr assured Eaton that he could overthrow the United States government if he were so minded. Notwithstanding the

³⁵ Louis B. Wright and Julia H. MacLeod, "William Eaton's Relations with Aaron Burr," *MVHR*, 31 (1945), 523-536.

latter claim, which Eaton believed, his outline of the plot—that Burr aimed to foment a revolution in the west and then conquer Mexico is a plausible summary of Burr’s intentions.³⁶

Several months later, just before he set out on his expedition, Burr wrote a lengthy coded letter to James Wilkinson. As the fullest statement of Burr’s intentions and state of mind before he set out, it warrants quoting at length. On July 29, 1806 Burr wrote:

I have obtained funds, and have actually commenced the enterprise. Detachments from different points under different pretences will rendezvous on the Ohio, 1st November--everything internal and external favors views— protection of England is secured. ... England—Navy of the United States are ready to join, and final orders are given to my friends and followers--it will be a host of choice spirits. Wilkinson shall be second to Burr only—Wilkinson shall dictate the rank and promotion of his officers. Burr will proceed westward 1st August, never to return: with him go his daughter—the husband will follow in October with a corps of worthies. Send forthwith an intelligent and confidential friend with whom Burr may confer. He shall return immediately with further interesting details—this is essential to concert and harmony of the movement. Send a list of all persons known to Wilkinson west of the mountains, who could be useful, with a note delineating their characters. By your messenger send me four or five of the commissions of your officers, which you can borrow under any pretence you please. They

³⁶ Deposition of William Eaton, Jan. 26, 1807, in Charles Prentiss, ed., The Life of the Late Gen. William Eaton (Brookfield, Mass.: E. Merriam and Co., 1813), 396-403, quotations 397; Abernethy, Burr Conspiracy, 258. For a valuable account of Burr’s motives from one of Burr’s fellow conspirators (who was offered immunity) see Justus Erich Bollman to Thomas Jefferson with Notes on Report about Burr, Jan. 23, 1807, Thomas Jefferson Papers, Library of Congress (hereafter TJP).

shall be returned faithfully. Already are orders to the contractor given to forward six months' provisions to points Wilkinson may name—this shall not be used until the last moment, and then under proper injunctions: the project is brought to the point so long desired: Burr guarantees the result with his life and honor—the lives, the honor and fortunes of hundreds, the best blood of our country. Burr's plan of operations is to move rapidly from the falls on the 15th of November, with the first five hundred or one thousand men, in light boats now constructing for that purpose—to be at Natchez between the 5th and 15th of December—then to meet Wilkinson—then to determine whether it will be expedient in the first instance to seize on or pass by Baton Rouge. On receipt of this send Burr an answer—draw on Burr for all expenses, &c. The people of the country to which we are going are prepared to receive us—their agents now with Burr say that if we will protect their religion, and will not subject them to a foreign power, that in three weeks all will be settled. The gods invite to glory and fortune—it remains to be seen whether we deserve the boon.³⁷

According to this letter, Burr intended to launch an expedition with Wilkinson and a combination of United States soldiers and private citizens recruited for the purpose. His claim that he had secured British naval support is untrue, and he knew it. The reference to Baton Rouge, in Spanish West Florida, and to the need to respect the religious beliefs of “of the people of the country to which we are going” suggest that an attack on the Spanish was the object of the expedition. There is no suggestion in the letter of an intention to create a separate western confederacy as Burr had described to Eaton. This is not to say that Burr did not have this as long-term goal. In his discussions with

³⁷ Burr to Wilkinson, July 29, 1806, Kline, ed., Burr Papers, 2:986-987.

Eaton he indicated that an attack on Spain should precede as western revolution. As a first step, he suggested undertaking a large filibustering expedition.

That a man of Aaron Burr's stature was discussing the overthrow of the United States government with foreign diplomats and organizing a filibuster in the west, could have hardly have failed to attract the attention of President Jefferson. Indeed, the president received anonymous warnings concerning Burr's western trip in December 1805. In early January, Joseph Hamilton Daveiss, the United States Attorney for Kentucky wrote to warn Jefferson about the plot. Over the next year Daveiss would write to Jefferson repeatedly to caution him of the danger that Burr posed. Despite these warnings, Jefferson did not seem to take seriously the threat posed by Burr in early 1806. Indeed, Jefferson received Burr at the presidential mansion on February 22. At that meeting Burr suggested that he could do Jefferson, "much harm" if he so chose and implied that Jefferson should appoint him to an office to counter the danger. Jefferson defied Burr's threat and refused to find a government appointment for his discredited rival. Notwithstanding the warnings he had received, including that from Burr himself, Jefferson seems to have reckoned that Burr did not pose a serious threat to his administration or the country. Burr, concluding that he had no future in the United States government, continued to prepare for his western adventure during the winter and spring of 1806, raising money and recruits and buying supplies.³⁸

On April 16 Burr wrote to Wilkinson in cipher "The execution of our project is postponed till December." Burr offered a coded explanation for the postponement,

³⁸ Anonymous to TJ, Dec. 1, 1805; Anonymous to TJ, Dec. 5, 1805; Joseph Hamilton to Daveiss to TJ, Jan. 10, 1806, Feb. 10, 1806, March 5, 1806, March 28, 1806, March 29, 1806, April 5, 1806, April 21, 1806, Aug. 14, 1806, TJP. Jefferson seems to have thought that Daveiss, a Federalist, was a nuisance who overreacted to the threat posed by Burr. He responded in a polite, restrained manner to Daveiss's many letters. TJ to Joseph Hamilton Daveiss, Feb. 15, 1806, Sept. 12, 1806, TJP. Jefferson later sacked Daveiss as U.S. Attorney for Kentucky. After the suppression of the Burr conspiracy Daveiss published a lengthy pamphlet outlining the danger Burr had posed which included his correspondence with Jefferson which he felt implicated the President for not heeding his warnings. Joseph H. Daveiss, A View of the President's Conduct, Concerning the Conspiracy of 1806 (Frankfort: Joseph M. Street, 1807). For Burr's meeting with Jefferson on Feb. 22, 1806—the last between the two men—see Thomas Jefferson, Notes on Aaron Burr Conversation, April 15, 1806, TJP.

“want of water in Ohio, rendered movement impracticable: other reasons rendered delay expedient.” Despite the delay he sought to reassure the general, “The association is enlarged, and comprises all that Wilkinson could wish. Confidence limited to a few. Though this delay is irksome, it will enable us to move with more certainty and dignity.” Burr continued with his preparations throughout the spring and summer.³⁹ By the end of July, Burr was ready to depart for the west to launch his expedition.

Unbeknownst to Burr, however, Wilkinson’s enthusiasm for the plot had diminished considerably. While Burr made his preparations during the spring of 1806, the Spanish reinforced their garrisons in the Floridas and Texas, and war threatened again in the southwest. In June the Secretary of War, Henry Dearborn, ordered Wilkinson to defend New Orleans in the event of a Spanish attack. Thomas Perkins Abernethy, the leading student of the Burr conspiracy, suggests that while Wilkinson would have welcomed the prospect of war in 1805—the general could have led American forces into Mexico, by 1806 things had taken on a different aspect. Burr had failed to win naval support from the British diminishing the likelihood of success for a western rebellion, and, in the event of a war, Wilkinson might be implicated as a Spanish agent or one of Burr’s co-conspirators. Moreover, Burr had generated too much attention for Wilkinson who preferred to operate in the shadows. At any rate, Wilkinson, judging Burr’s prospects for success to be slim, sensed that thwarting the conspiracy would give him an opportunity to serve both his Spanish and American masters (each of whom was threatened by Burr’s plot). By the summer of 1806 he had decided to betray Burr.⁴⁰

Burr departed Philadelphia and headed west at the beginning of August. By August 21 he was in Pittsburgh gathering supplies and recruits. The plan was for small

³⁹ Burr to Wilkinson, April 16, 1806, Bacon, Report, 202. For an example of the efforts to muster financial support see his letters to Harman Blennerhassett in Safford ed., The Blennerhassett Papers, 119-123.

⁴⁰ Abernethy, Burr Conspiracy, 51-55.

groups of conspirators, posing as settlers, to descend the Ohio and Mississippi rivers on flatboats. The conspirators would rendezvous at Natchez, Mississippi in early December prior to attacking Baton Rouge, New Orleans, and/or Texas. Based on the number of flatboats that he purchased or contracted to be built near Marietta, Ohio, it seems that Burr expected 1500 men to join the expedition.⁴¹

In September Burr visited Kentucky and Tennessee renewing contact with main local leaders whom he had visited the previous year. In Nashville he received a hospitable welcome from Andrew Jackson who pledged to lead the Tennessee militia into battle in the event of a war with Spain and gave Burr \$3500 to support his endeavor—which he believed to be an attack on the Spanish. In early October Burr left Nashville and returned to Kentucky where he continued to organize his expedition on the Ohio River. President Jefferson, aware of the Burr's machinations for over a year, was finally prompted to take action. In mid-October, William Eaton discussed Burr's plans with William Ealy, a congressman from western Massachusetts. Ealy, in turn, discussed the plot with the postmaster general, Gideon Granger. Granger alerted the president, supported by signed statements from Ealy and Eaton. Rumors of the conspiracy were rife throughout the west and Jefferson was compelled, finally, to take action. Jefferson held cabinet meetings on October 22 and 24 to discuss the crisis. As a result of the information received from the west, the cabinet decided to alert the governors of Ohio, Indiana, Mississippi, and Orleans as well as the United States attorneys in Kentucky, Tennessee and Louisiana about the threat posed by the Burr. The officials were instructed to monitor Burr's movements and to arrest him in the event he committed an overt attack on the United States. Jefferson authorized John Graham, the secretary of the Orleans Territory to follow Burr and gather information

⁴¹ National Intelligencer (Washington), Aug. 22, 1806; Evidence of George Morgan, Annals of Congress, 10th Cong. 1 Sess., 1:425-31; TJ to George Morgan, Sept. 19, 1806, TJP; Philadelphia Aurora, Jan. 22, 1807.

concerning his movements and activities. Gunboats were sent up the Mississippi to Fort Adams to intercept Burr's flotilla.⁴²

One of the matters discussed at the cabinet meeting on October 22 was the mysterious behavior of General Wilkinson. Wilkinson had ignored the order of Secretary Dearborn that he leave St. Louis and proceed to New Orleans and organize the American defense of the Louisiana-Texas borderland. Rather, Wilkinson remained in St. Louis. Wilkinson's name had figured prominently in many of the reports reaching Washington—Joseph Daveiss repeatedly asserted that Wilkinson's Spanish connection was well-known in the west in his letters to Jefferson—and his dilatory behavior took on a sinister aspect.⁴³ Perhaps Wilkinson, already wary of Burr, delayed in order to see how events might unfold before committing to a course of action. In early September he finally bestirred himself and proceeded to Natchez. He visited nearby Fort Adams and made preparations to attack Baton Rouge and Mobile in the event of a war with Spain. He then ascended the Red River. Wilkinson gathered troops from the Mississippi and Orleans Territories at Natchitoches and prepared to confront the Spanish along the Sabine. On October 8, Samuel Swartwout, one of Burr's closest confidants, arrived in Wilkinson's camp bearing Burr's coded letter of July 29. After decoding the letter, Wilkinson realized that he had to make a decision. On October 9 he announced that he would reach an accommodation with the Spanish on the Sabine and then save New Orleans from the threat posed by Burr. As a consummate survivor Wilkinson concluded that Burr had little chance of success and intended to thwart Burr and to save himself ingratiating himself with both his American and Spanish masters.

Wilkinson wrote to Jefferson on October 20 to warn him about the conspiracy and in so

⁴² For the warnings about Burr's activities see Thomas Truxton to TJ, Aug. 10, 1806, TJP; TJ to George Morgan, TJP; James Bruff to Joseph H. Nicholson, Nov. 18, 1806, Bacon, Report, 237-8; Kentucky Gazette, Dec. 11, 1806; TJ to Gideon Granger, March 9, 1814. For the actions taken to counter Burr see TJ, Special Message on the Burr Conspiracy, Jan. 22, 1807, Walter Lowrie and Walter S. Franklin, eds. American State Papers: Miscellaneous, 2 vols. (Washington: Gales and Seaton, 1834), 1:468-469 (hereafter ASP: Miscellaneous) and Abernethy, Burr Conspiracy, 85-87.

⁴³ Daveiss, View of the President's Conduct, 77-81.

doing to dissociate himself from the enterprise. Several days later he marched to the Sabine. On November 5 he concluded the “Neutral Ground” Agreement with his Spanish counterpart (and comrade), Simón de Herrera, thereby removing the immediate threat of war.⁴⁴

Having secured peace on the Sabine, Wilkinson turned his attention to defending New Orleans. On November 6, the day after the Neutral Ground agreement, Wilkinson ordered Major Moses Porter at Natchitoches to proceed immediately to New Orleans. The general instructed Porter to “repair and mount every piece of ordnance you can lay hands on and work all hands double tides in fixing shot, shell, etc. Let your field pieces be all ready to take the field and let 6 or 8 battering cannon be mounted in Ft. Charles and Ft. Louis to bear on the river and the front flanks of the city. Use every exertion to ready N. O. where you will find me on the 20th Inst.” Wilkinson made arrangements for the militia which had gathered at Natchitoches to follow Porter. Always one to play both sides and to maximize his personal advantage, Wilkinson wrote to Governor Claiborne to warn him of the threat Burr posed to New Orleans and to the Spanish Viceroy at Mexico City to let him know that he was protecting Mexico from Burr at a cost of 121,000 pesos for which he asked for compensation.⁴⁵

Wilkinson arrived in New Orleans on November 25. The city was home to a substantial pro-Burr population—mainly Americans who were opposed to Governor Claiborne. These included powerful merchants and lawyers many of whom were members of the Mexican Association and knew of his own relationship with Burr.

⁴⁴ Deposition of James Wilkinson, Dec. 26, 1806, ASP: Miscellaneous, 1:472-473; James Wilkinson to Henry Dearborn, Sept. 8, 1806, Bacon, Report, 378-383; Extract from Natchez, American Citizen (New York), Oct. 31, 1806. For Wilkson’s negotiations with Herrera see Bacon, Report, 384-408, the text of the agreement itself is on pp. 406-8. Also see Annals of Congress, 9 Cong., 2 Sess., 913-925; American State Papers: Foreign Relations, 2:801-805.

⁴⁵ James Wilkinson to Moses Porter, Nov. 6, 1806, Wilkinson, Memoirs, 2: Appendix 102; James Wilkinson to William C. C. Claiborne, Nov. 12, 1806 in Dunbar Rowland, ed., Official Letter Books of W. C. C. Claiborne, 1801-1816, 6 vols. (Jackson, MS: Mississippi Department of Archives and History, 1917), 4:55-56; James Wilkinson to Viceroy José de Iturrigaray, Nov. 13, 1806, in AHR, 9 (1904), 533-537. For Wilkinson’s efforts to defend New Orleans see, James Wilkinson to Constant Freeman, Nov. 12, 1806, Wilkinson, Memoirs, 2: Appendix 101; Deposition of Lt. George Peter, Sept. 19, 1807, ASP: Miscellaneous, 1:566; Deposition of James Wilkinson, Dec. 14, 1806, ASP: Miscellaneous, 1:469-470.

Wilkinson urged Governor Claiborne to suspend the writ of habeas corpus in the city so that he could arrest the conspirators before Burr arrived. Claiborne refused, eschewing the opportunity to apprehend many of his political opponents. Never one to cavil about the law, Wilkinson began arresting the conspirators on December 14. When the courts ruled that he had to release some of the men he had apprehended Wilkinson did so reluctantly, in some cases re-arresting the suspects. In other cases he ignored court rulings and removed the conspirators from the jurisdiction. When the territorial legislature met on January 12, 1807, Wilkinson appeared before it to demand the suspension of the writ of habeas corpus. The legislature refused to do so and began an inquiry into Wilkinson's actions. Among those arrested by Wilkinson for involvement in the conspiracy was a local judge, James Workman, and a United States Senator, John Adair.⁴⁶

Local politicians in Kentucky were feting Burr when Wilkinson defected. The indefatigable United State attorney, John H. Daveiss complained "The people seemed to vie with each other in folly, and a zeal to distinguish and caress this persecuted patriot. Balls and parties were held for him." Daveiss planned a party of a different sort for the man he was determined to stop. On November 5 he swore out affidavit against Burr charging him with treason. When he brought the case before a grand jury in Frankfort most of his witnesses failed to appear and Burr was cleared of wrongdoing. Nonetheless Burr's plot was exposed. Given that Wilkinson had negotiated a peace

⁴⁶ Wilkinson, Memoirs, 2: Appendices 113, 115, 117; Wilkinson to TJ, Jan. 18, 1807, Bacon, Report, 446-447; Deposition of Capt. Shaw and William Thorp, April 16, 1807, Bacon, Report, 346-347; Debate in the House of Representatives of Orleans ... Respecting the Illegal Conduct of General Wilkinson (New Orleans: Bradford and Anderson, 1807); Faithful Picture of the Political Situation at New Orleans (Boston: n. p., 1807); A Short Review of the Late Proceedings at New Orleans (Richmond: Impartial Observer, 1807); James D. Workman, A Letter to the Respectable Citizens, Inhabitants of the County of Orleans (New Orleans: Bradford and Anderson, 1807); James D. Workman, The Trials of the Honb. James Workman and Col. Lewis Kerr (New Orleans: Bradford and Anderson, 1807).

with the Spanish and was reinforcing New Orleans any small hope of success which Burr may have had was extinguished.⁴⁷

Burr, of course, did not realize this and, flush from his success in Frankfort continued to prepare for expedition. His supporters were gathering in Ohio. He had contracted to have flatboats built at a boatyard near Marietta and supplies and supporters gathered at Blennerhassett's Island. On November 25 Jefferson received Wilkinson's warning letter of October 20. Although the president was, by then, well aware of the conspiracy, such a warning from the commanding general of the army demanded a public response. On November 27 Jefferson issued a proclamation declaring that "sundry persons, citizens of the U.S. or resident within the same, are conspiring & confederating...against the dominions of Spain" and requiring that all military and civil officials prevent "the carrying on such expedition or enterprise by all lawful means within their power."⁴⁸ Governor Edward Tiffin of Ohio, encouraged by Jefferson and the state legislature, moved against Burr. On December 9 Ohio militia captured most of his boats and supplies at the Marietta boatyard. Two days later the militia raided Blennerhassett's Island seizing supplies and ransacking Blennerhassett's mansion.⁴⁹ When Burr rendezvoused with Blennerhassett on the Ohio River at the mouth of the Cumberland, on December 27, he expected to meet a small army. Instead, he met a force of less than 100 men. At this point Burr should have given up. He carried on, possibly hoping for succor from Wilkinson or believing he would pick up new recruits downriver.

From this point on the expedition slowly collapsed. By January 10, 1807 Burr reached Bayou Pierre, above Natchez in the Mississippi Territory. He had gone ahead

⁴⁷ Daveiss, View of the President's Conduct, 26-31, quotation 30. Daveiss's affidavit against Burr is on p. 64.

⁴⁸ James D. Richardson, ed., A Compilation of the Messages and Papers of the Presidents, 20 vols. (New York, 1897-1922), 1:393-394.

⁴⁹ Ethan Allen Brown to Philip Van Cortlandt, Dec. 17, 1806, Dec. 28, 1806, Ethan Allen Brown Letters to Philip Van Cortlandt.

of what was left of the expedition on a keelboat with a dozen men. At Bayou Pierre Burr called on a friend, Judge Peter Bryan Bruin. Bruin showed Burr newspaper contained Jefferson's proclamation as well as his cipher letter of July 29 confirming that he had been abandoned by Wilkinson. The newspaper reported a reward for the capture of Burr and that the governor of Mississippi had called out the militia to intercept him on the river. Rather than face capture by trigger-happy reward seekers, Burr surrendered himself to Mississippi authorities who arrested him on January 16, 1807.⁵⁰

Burr may have been willing to turn himself in because he was confident he would get a sympathetic hearing as he had in Kentucky two months earlier. As in Frankfort, he was well-treated in the Natchez area where he managed to convince people that he had intended to attack the Spanish, not the United States. Burr appeared before the territorial court on February 2. The judges were Thomas Rodney and his friend Peter Bruin, both of whom were sympathetic to his cause. Burr insisted that he had no intention of attacking U. S. territory and the U.S. attorney refused to bring an indictment, claiming that a territorial court did not have jurisdiction to hear such a case. Burr was to be held over while the jurisdictional question was addressed. Fearing the outcome, Burr jumped bail and escaped on February 6. Governor Robert Williams issued a proclamation declaring Burr a fugitive. He was arrested a week later near Fort Stoddert on February 19 while trying to make his way to Pensacola. The Burr conspiracy was over.⁵¹

⁵⁰ Deposition of David Fisk, Sept. 22, 1807, ASP: Miscellaneous, 1:524-525; Deposition of Dr. John F. Carmichael, Bacon, Report, 347-349; Safford, ed., Blennerhassett Papers, 187.

⁵¹ Abernethy, Burr Conspiracy, 217-223. Burr was taken to Richmond, Virginia, tried for treason and acquitted in September, 1807 in a controversial trial presided over by Supreme Court Chief Justice, John Marshall. For Burr's trial see, The Trial of Col. Aaron Burr on an Indictment for Treason, 3 vols. (Washington: Westcott, 1807); J. J. Combs, The trial of Aaron Burr for high treason, in the Circuit Court of the United States for the district of Virginia, summer term, 1807 (Washington: W. H. & O. H. Morrison, 1864); Abernethy, Burr Conspiracy, 227-249; Malone, Jefferson the President: Second Term, 291-346.

Aaron Burr's was among the least successful, yet most famous, of all the filibusters undertaken during the early republic. The reasons for its failure are instructive for understanding the role played by filibusters in the expansion of the American republic. The fame of its participants, especially Burr, was a key reason for the collapse of the enterprise. Burr, who was among the most infamous and well known men in America, had spent so much time traveling around the west discussing his plot in 1805 and 1806 that it was impossible for him to maintain the secrecy that its success required. When the volubility of his co-conspirators such as Blennerhassett, who seemed constitutional incapable of keeping a secret, and Wilkinson, who deliberately exposed the plot to serve his own ends, is considered, it is not surprising that the plot failed.

Burr's plot was so widely known that it begs the question as to why Jefferson did not act sooner to thwart the enterprise. Filibusters, that is extralegal expeditions aimed at extending republicanism, were accepted as a legitimate means by which the American republic could expand. Provided the aim of such expeditions was either to add territory to the United States, or to create friendly republics on its borders which might some day be annexed then the public and the government gave them tacit, and occasional overt, support. People such as William Eaton and Andrew Jackson found Burr plausible when he suggested that he was planning an invasion of Spanish territory with the blessing of the United States government. They were willing to give their support to such an enterprise because it was acceptable to do so, especially in the Old Southwest. Men and women from around the nation, from President Jefferson to future president Andrew Jackson were willing to countenance Burr's plot when its aim was Mexico.

Burr's plot went awry when he suggested that its object was not New Mexico, but New Orleans. When he menaced the union by threatening to seize New Orleans as

the capital of a secessionist western confederacy, Burr's actions were unacceptable to the government and the public at large. As Ethan Allen Brown wrote from Cincinnati as Burr floated down the Ohio not to glory but to ignominy, "As far as I know, he will meet but feeble support from the citizens of this State or of Kentucky; but for the latter I am not so well-informed. Some misguided adventurers, some among whom however, have had a considerable influence and popularity report says, are implicated in the affair; but the general voice reprobates the plan that may embroil us with a foreign power, or weaken our nation by a dismemberment."⁵² Had Burr really attempted to attack West Florida or Texas he may have succeeded (provided General Wilkinson did not betray him to his Spanish masters). Once he intimated that he sought to break up the republic, his chances for success vanished. The public and the government might give its support to the former, which was in the long-term interests of the United States, but not the latter which threatened the immediate stability of the republic.

In the Kemper Rebellion of 1804 and the Burr Conspiracy of 1806-7 we have seen two failed filibusters. Their failure reveals the key elements essential to future, more successful, ventures. The Kempers invoked republican rhetoric and followed the form of later filibusters, but failed for lack of popular support. The Kempers were more convincing as brigands than as republican revolutionaries. Aaron Burr enjoyed a degree of popularity across the West. He relied on his popularity to generate support for his venture, but this made it difficult to maintain the secrecy necessary to foment a successful filibuster. Burr's fame gave him access to sympathetic political and military leaders in the west and made it possible for him to recruit supporters. His notoriety meant that it was impossible for him to keep his activities secret (and seems to have made little effort to do so). With his experience as a soldier and statesman Burr was a

⁵² Ethan Allen Brown to Philip Van Cortlandt, Dec. 17, 1806, Ethan Allen Brown Letters to Philip Van Cortlandt.

credible leader but his plot, with its ambiguous objectives and unreliable supporters became widely known and ultimately was too threatening to Jefferson's government. While slow to act at the outset, the Jefferson administration took steps to suppress the Burr Conspiracy once it became apparent that Burr was at least as much a danger to the United States as he was to the Spanish empire. For filibusters to succeed they required several crucial elements—popular support, secrecy, and a degree of tacit acquiescence from the federal government. These could be achieved by embracing republican rhetoric and acting in the strategic interests of the United States, even if doing so placed the filibusters outside of the law and (temporarily) beyond the boundaries of the United States.

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